IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit	: 1645	**Customer No.: 35811**
Examiner	: James Schultz	
Serial No.	: 10/680,313	Confirmation No.: 5935
Filed	: October 6, 2003	
Inventors	: Usha Kasid	
	: Isamu Sakabe	
	: Simeng Suy	
	: Deepak Kumar	
	: Imran Ahmad	
Title	: GENE SHINC-1 AND	Docket No.: GTU-06-1183WO-US
	: DIAGNOSTIC AND	
	: THERAPEUTIC USES THEREOF	Date: October 27, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Certificate of Mailing Under 37 CFR 1.8

For

Postcard
$510 Check
Claim of Extension of Time, in duplicate
Response to Office Communication dated June 27, 2006
Copy of Office Communication dated June 27, 2006

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date appearing below.

Name of Applicant, Assignee, Applicant's Attorney
or Registered Representative:

DLA Piper US LLP
Customer No. 35811

By: Jason Jarrell

Date: October 27, 2006

PHIL1\3781131.1

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RESPONSE TO OFFICE COMMUNICATION DATED JUNE 27, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is being filed in response to the Office Communication mailed June 27, 2006, regarding alleged informalities in the sequence listing. A copy of the Communication is enclosed. The Communication stated that the application contains nucleotide sequences which were not identified by SEQ ID NO. The sequence set forth in Fig. 1 was specifically mentioned.

Applicant's representative has reviewed the specification (including figures), and can confirm that no nucleotide sequences are disclosed which are not identified by SEQ ID NO. Indeed, the sequence disclosed in Fig. 1 is expressly identified on page 3, paragraph [0007] as SEQ ID NO: 1. There are no other nucleotide sequences disclosed in the application. Thus, the Applicants believe that the sequence listing and application are in compliance with the requirements of 37 C.F.R. 1.821-1.825.

Per the petition and fee submitted herewith, the Applicants hereby extend the period for responding to the Communication by three months from July 27, 2006 to October 27, 2006. Please charge any additional fees that may be due, or credit any overpayment, to deposit account 50-2719.

Respectfully submitted,

Paul Carango
Reg. No. 42,386
Attorney for Applicants

PC/sh
(215) 656-3320
PHIL1\3792631.1

GTM-06-1183WO-US

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/680,313	10/06/2003	Usha Kasid	224384	5935

23460 7590 06/27/2006

LEYDIG VOIT & MAYER, LTD
TWO PRUDENTIAL PLAZA, SUITE 4900
180 NORTH STETSON AVENUE
CHICAGO, IL 60601-6780

EXAMINER	
SCHULTZ, JAMES	

ART UNIT	PAPER NUMBER
1635	

DATE MAILED: 06/27/2006

7/27/06 (1 mth)
12/27/06 (6 mths)
Cita
RESPONSE DUE

Please find below and/or attached an Office communication concerning this application or proceeding.

UNITED STATES DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.

EXAMINER

ART UNIT	PAPER
	20060625

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Sequence Compliance

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth below or on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures. The disclosure contains sequences which fall under the purview of 37 CFR 1.821 through 1.825 as requiring SEQ ID NOS:, but which are not so identified. For example, in figure 1 of the instant specification, a nucleotide sequence in excess of 10 nucleotides long is disclosed, and not identified by a SEQ ID NO:. Applicants should be aware that this sequence may not be the only instance necessitating this notice. Applicants should carefully review the application for any further examples of failures to identify any sequences by SEQ ID NO:, and to otherwise verify that the application is in compliance.

Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the mailing date of this letter within which to comply with the sequence rules, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the reply.

JAMES SCHULTZ, PH.D.
PRIMARY EXAMINER

Applic[illegible]:_____

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- [X] 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- [X] 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- [ ] 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- [ ] 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- [ ] 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- [ ] 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- [X] 7. Other: See attached P10-90C

Applicant Must Provide:

only required if new sequences are added to listing

- [X] An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- [X] An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- [X] A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216
For CRF Submission Help, call (703) 308-4212
PatentIn Software Program Support (SIRA)
Technical Assistance.....703-287-0200
To Purchase PatentIn Software.....703-306-2600

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE

Please forward to Group Art Unit 1635

Amended Compact Discs

EXAMINER NOTE: THIS PAPER IS AN INTERNAL WORKSHEET ONLY. DO NOT ENCLOSE WITH ANY COMMUNICATION TO THE APPLICANT. ITS PURPOSE IS ONLY THAT OF AN AID IN HIGHLIGHTING A PARTICULAR PROBLEM IN A COMPACT DISC.

THE ATTACHED CD (COPY 1) HAS BEEN REVIEWED BY OIPE FOR COMPLIANCE WITH 37 CFR 1.52(E). ***Please match this CD with the application listed below.***

Date: 6/10/2005
Serial No./Control No. 10/680513
Reviewed By: K. SMITH Phone: 308-9240 6/10/05

☑ The compact discs are readable and acceptable.

☐ Copy 1 and Copy 2 of the compact discs are not the same.

☐ The compact discs are unreadable.

☐ The files on the compact discs are not in ASCII.

☐ The compact discs contain at least one virus.

☐ Other

_____

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